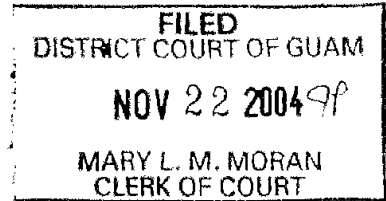


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7 On behalf of
8 *I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN*



9 **IN THE DISTRICT COURT OF GUAM**

10 JAY MERRILL, etc, et al.,)

Civil Case No. CIV04-00046

11 Plaintiff,)

12 vs.)

NOTICE OF MOTION TO REMAND

13 THE GUAM ELECTION COMMISSION,)
14 et al.)

15 Defendants.)

16
17 *I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN*, Defendant herein, through its
18 attorney of record, Legislative Counsel Therese M. Terlaje, moves the court to remand these
19 proceedings back to the Superior Court of Guam. Defendant Guam Legislature did not join in the
20 removal of this matter, contrary to the allegations of the Attorney General of Guam as contained in
21 its Notice of Removal and accompanying documents. Failure to obtain the consent of the Guam
22 Legislature to the removal violates 48 USC §1446 and necessitates the remand of this action to the
23 Superior Court of Guam for all matters affecting Defendant Guam Legislature. The issues as they
24 affect the Guam Legislature remain proper to be determined by the courts of Guam.
25

ORIGINAL

1 *I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN's* Motion is based on the
2 accompanying Memorandum of Points and Authorities, 28 U.S.C. §1441, §1446 and §1447, and
3 the record on file. Oral argument is not requested.

4 Respectfully submitted this 22nd day of November, 2004.

5
6 **OFFICE OF THE LEGISLATIVE COUNSEL**
7 ***I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN***

8 
9 THERESE M. TERLAJE

10 *On behalf of*

11 ***I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN***
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